

SEP 23 2009

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

UNITED STATES OF AMERICA,)	Criminal Case No. 7:06cr00063-1
)	
v.)	<u>2255 FINAL ORDER</u>
)	
RICKY EDWARD DAVIS.)	By: Samuel G. Wilson
)	United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that the United States' motion to dismiss is **GRANTED**; the above referenced motion pursuant to 28 U.S.C. § 2255 is hereby **DISMISSED** without prejudice; and this action shall be **STRICKEN** from the active docket of this court.

The Clerk is directed to send a certified copy of this Order and the accompanying Memorandum Opinion to the petitioner.

ENTER: This 23rd day of September, 2009.

[Signature]

UNITED STATES DISTRICT JUDGE